

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: St Paul District
FILE NUMBER: 05-673-DJP

REGULATORY PROJECT MANAGER: Dale J. Pfeifle **Date:** February 11, 2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) **Date:** February 11, 2005
 At the project site (Y/N) **Date:**

PROJECT LOCATION INFORMATION:

State: Wisconsin
County: Racine
Center coordinates of site by latitude & longitudinal coordinates: 42.7329260184N, 87.900487277W
Approximate size of site/property (including uplands & in acres): 129
Name of waterway or watershed: Root-Pike, Illinois, Wisconsin

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands				X					
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or **Approved** X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): A wetland delineation was received for review and concurrence for a 129-acre parcel consisting primarily of cropped lands. One wetland, approximately 8-acres in size was identified. A review of the a local topographic map, the Wisconsin Wetland Inventory, the Racine County Soil Survey, the USGS Sturtevant, Wisconsin quadrangle, and the information in the delineation report indicates that the wetland lacks a surface water connection to a water of the United States. The topographic maps suggest that the subject wetland could drain to the south east into a separate wetland complex. However, the topographic maps indicate that the second wetland complex drains to an isolated basin which lacks a connection to a water of the US. The maps of the surrounding area indicate that the subject wetland is not adjacent to a water of the US. A connection between the wetland and interstate commerce could not be established. Therefore, the 8-acre wetland is an isolated water body.

A site development plan was not included with the delineation report. However, the site is probably being considered for the development of a residential subdivision. Potential impacts to the 8-acre isolated wetland are not known.